

PATENT APPLICATION Attorney Docket: 1261-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):

Louis J. Cowin

Examiner: Bruce Allen Lev

Serial No.:

10/638,155

Group: Art Unit: 3634

Filed:

August 8, 2003

Dated: September 22, 2004

For:

CLIMBING DEVICE

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

<u>AMENDMENT TRANSMITTAL FORM</u>

Sir:

Transmitted herewith is an amendment in the above-identified application.

- [x] Small entity status of this application under 37 C.F.R. §§1.9 and 1.27 has been established by a verified statement previously submitted.
- [] A verified statement to establish small entity under 37 C.F.R. §§1.9 and 1.27 is enclosed.
- [x] No additional fee is required.

For	Claims Remaining After Amendment	Highest No. Previously Paid For	Prese nt Extra	Rate (Small Entity)	Addit . Fee	Rate	Addit. Fee
TOTAL CLAIMS*	16	20	0	x 9 =	\$0	× 18 =	\$0
INDEPENDEN T CLAIMS	2	3	0	x 43 =	\$0	× 86 =	\$0
[] First Presentation of Multiple Dep. Claim				145		290	\$ 0

CERTIFICATE OF MAILING UNDER 37 C.F.R.§1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope addressed to the: Mail gop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: September 22, 2004

^{*} If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.
** If the "Highest No. Previously Paid for" IN THS SPACE is less than 20, enter "20".

^{***} If the "Highest No. Previously Paid For" IN THS SPACE is less than 3, enter "3".

The Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

- [] Please charge Deposit Account No. <u>04-1121</u> in the amount of \$___. Two (2) copies of this sheet are enclosed.
- [] A check in the amount of <u>\$</u> is enclosed.
- [X] Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §§1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 04-1121. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 04-1121 therefor. A DUPLICATE OF THIS SHEET IS ENCLOSED.

Respectfully submitted,

Paul J/Farrell Reg No. 33,494

Attorney for Applicant(s)

DILWORTH & BARRESE, LLP 333 Earle Ovington Blvd. Uniondale, NY 11553 (516) 228-8484



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AMENDMENT

Sir:

In response to the Office Action dated June 22, 2004, please amend the aboveidentified application as follows:

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 22, 2004.

Dated: September 22, 2004

Michael S Munk